

Planning Services

Gateway Determination Report

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| LGA | The Hills Shire |
| PPA | The Hills Shire Council |
| NAME | 64 Mackillop Drive, Norwest and 34 Salamander Grove, Baulkham Hills (408 homes, 0 jobs) |
| NUMBER | PP_2018_THILL_009_00 |
| LEP TO BE AMENDED | The Hills Local Environmental Plan 2012 |
| ADDRESS | 64 Mackillop Drive, Norwest and 34 Salamander Grove, Baulkham Hills |
| DESCRIPTION | 64 Mackillop Drive - Lot 1001 and 1002 DP1190982 34 Salamander Grove - Lot 574 DP713531 |
| RECEIVED | 11 September 2018 |
| FILE NO. | IRF18/5123 |
| POLITICAL DONATIONS | There are no donations or gifts to disclose and a political donation disclosure is not required |
| LOBBYIST CODE OF CONDUCT | There have been no meetings or communications with registered lobbyists with respect to this proposal. |

INTRODUCTION

Description of planning proposal

The planning proposal seeks to amend The Hills Local Environmental Plan (LEP) 2012 to rezone 64 Mackillop Drive, Norwest and 34 Salamander Grove, Baulkham Hills, to part R2 Low Density Residential, R3 Medium Density Residential, R4 High Density Residential, and amend associated development standards.

Background – rezoning review

The planning proposal was submitted for a gateway determination following a rezoning review (RR_2018_THILL_001_00) for the site and was supported to proceed by the Sydney Central City Planning Panel (the panel) on 17 May 2018 (**Attachment E**).

The Hills Shire Council accepted the role of Planning Proposal Authority (**Attachment A**) and prepared this planning proposal in accordance with the planning proposal supported by the panel.

Site description

The site is approximately 12.5ha in area, consisting predominantly of vacant land with vegetation (identified as remnant significant Cumberland Plan Woodland and Sydney Turpentine Ironbark). The site also contains a heritage item of local significance (Saint Joseph's Novitate – an inter-war Californian bungalow).

There is a prominent ridge line running east-west through the site, with the land sloping down either side of the ridge line.



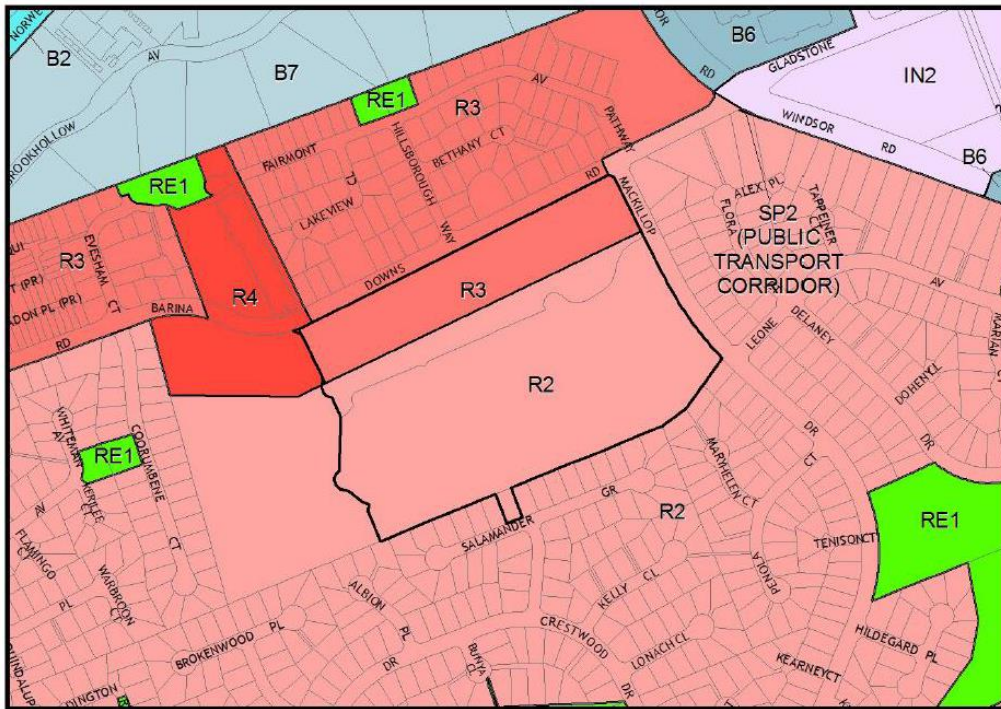
Figure 1 – Aerial view of subject site and surrounding area.

Existing planning controls

The subject site:

- is zoned R2 Low Density Residential and R3 Medium Density Residential;
- has a maximum height of building of 9 metres; and
- consists of a heritage item of local significance – Saint Joseph's Novitate (Item I7).

A development application (6/2012/PLP and 6/2012/JP) has been previously approved to facilitate residential development across the site to deliver a total of 195 dwellings.



Land Zoning (LZN)

| | | | |
|--|-------------------------|--|----------------------------|
| B2 | Local Centre | R3 | Medium Density Residential |
| B6 | Enterprise Corridor | R4 | High Density Residential |
| B7 | Business Park | RE1 | Public Recreation |
| IN2 | Light Industrial | SP2 | Infrastructure |
| R2 | Low Density Residential | | |

Figure 2 – Existing land zoning (R2 Low Density Residential and R3 Medium Density Residential).

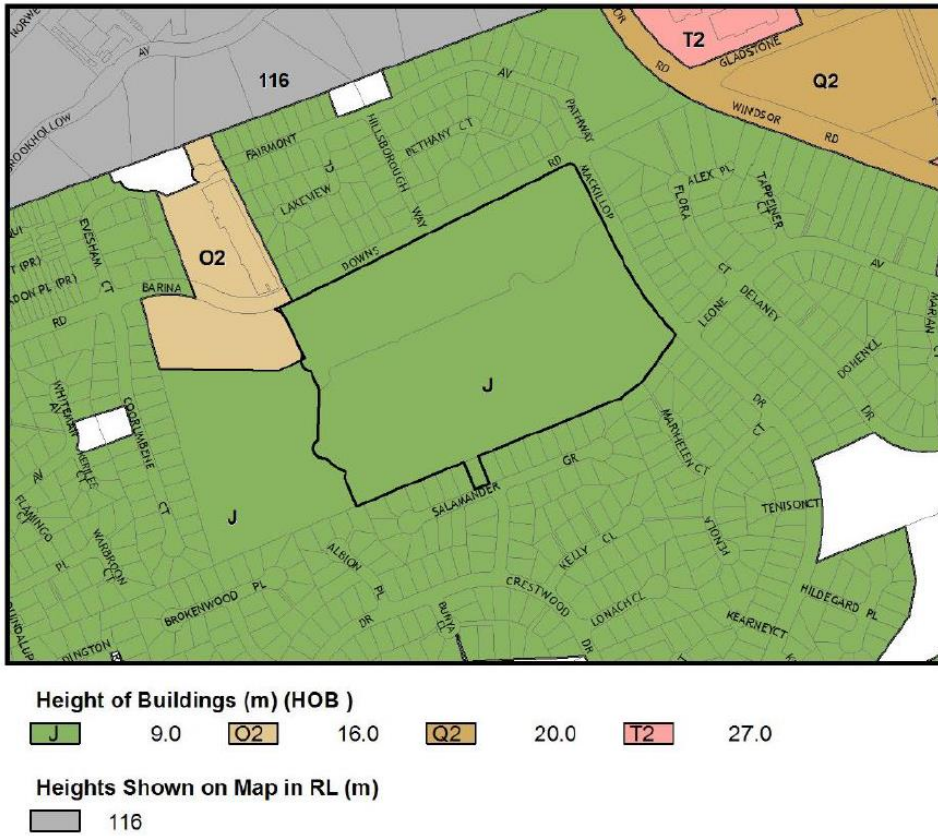


Figure 3 – Existing height of building controls (9 metres).

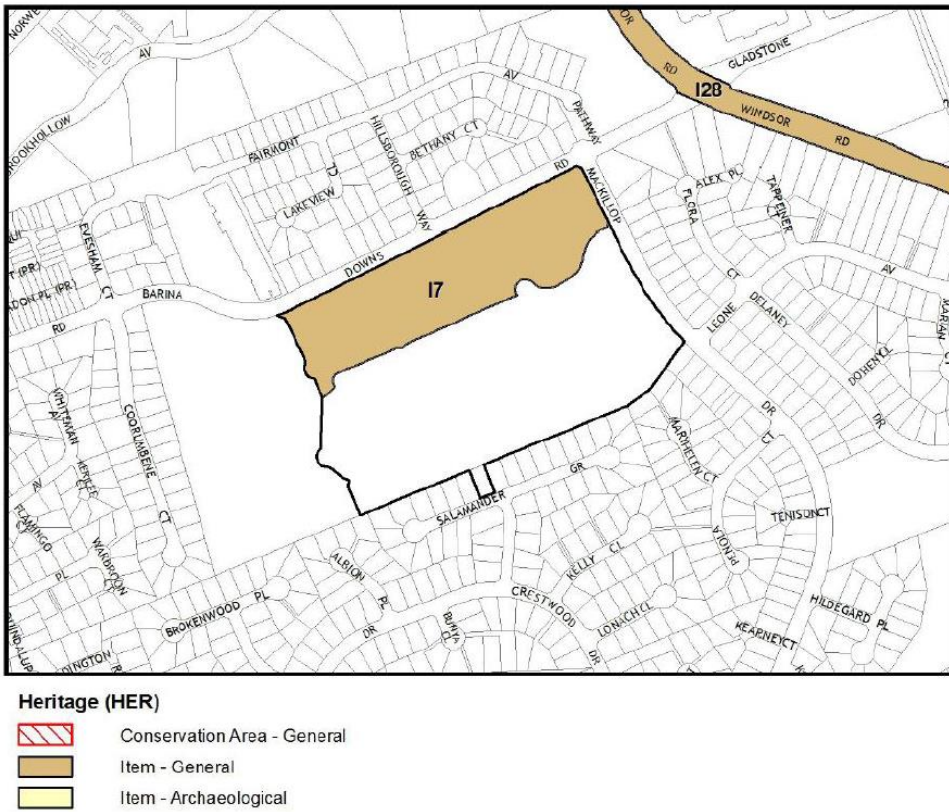


Figure 4 – Map of local heritage item Saint Joseph's Novitate (Item 17)

Surrounding area

The site is located in a predominately low density residential setting, with single to two storey low houses north, east and south of the site. St Joseph's meditation centre is directly west of the site. Further north of the site is the existing Norwest Business Park.

The Norwest Station Structure Plan applies to the site (part of the North-West Rail Link Corridor Strategy). Any proposed dwellings resulting from the planning proposal will range from approximately 850m to 1.3km from the entrance of the future Norwest railway station (estimated to be approximately within a 15 minute walking distance north of the site – see Figure 1). As previously mentioned, the Norwest Business Park, a strategic centre under the Central City District Plan, is immediately north of the site, facilitating access to an employment area within a 30-minute commute of the site.

While the land immediately north of the subject site currently consists of low density residential dwellings, it has been identified as being suitable for medium density residential as part of the Norwest Structure Plan, and it is expected that housing typologies to the north of the site will increase in density as urban renewal occurs.

Summary of recommendation

The proposal is generally consistent with the Central City District Plan and the North-West Rail Link Corridor Strategy. It seeks to increase residential densities near the future Norwest railway station, with access to the Norwest Strategic Centre. The site is strategically placed, being within a 30-minute commute of employment centres. The proposal is consistent with the surrounding residential land uses.

PROPOSAL

Objectives

The proposal seeks to increase residential densities through a staged masterplan and redevelopment of the site, to provide approximately 408 dwellings in close proximity to the future Norwest railway station, with a mixture of high, medium and low density housing typologies.

Explanation of provisions

Part 2 of the proposal seeks to amend The Hills Local Environmental Plan (LEP) 2012 maps:

- amend the Land Zoning Map at the site to part R4 High Density Residential, part R3 Medium Density Residential, part R2 Low Density Residential and part RE1 Public Recreation
- amend the Height of Building Map at the site to part 9 metres, part 12 metres and part 16 metres; and
- amend the Heritage Map applicable to item I7 and amend the heritage curtilage.

No change to the written instrument is proposed.

The LEP amendments proposed under the proposal are clear and do not require amendment prior to community consultation.

Mapping

Part 4 of the planning proposal contains the existing and proposed land use, height of building, and heritage mapping relevant to the subject site.

The LEP map amendments proposed under the proposal are clear and do not require amendment prior to community consultation.

NEED FOR THE PLANNING PROPOSAL

The planning proposal is considered the most appropriate way to achieve increased residential densities around the planned future Norwest railway station, having the anticipated transport infrastructure to accommodate the additional residential capacity in the locality.

STRATEGIC ASSESSMENT

Greater Sydney Region Plan

The Greater Sydney Region Plan is the relevant regional plan applying to the subject site.

The proposal is generally consistent with the Greater Sydney Region Plan, specifically: Objective 10 – Greater housing supply and Objective 14 – Integrated land use and transport creates walkable 30-minute cities.

The proposal has the potential to deliver 408 dwellings near the future Norwest railway station, with access to the Norwest Strategic Centre and other employment centres on the railway line within a 30-minute commute.

Central City District Plan

The planning proposal has been assessed against the Central City District Plan, being the relevant district plan, and is considered to be generally consistent with the plan, with the exception of the following:

- Planning Priority C17 Delivering high quality open space. The proposal seeks to zone part of the site to RE1 Public Recreation. Council has identified that this part of the site is subject to a development application which will locate service infrastructure (i.e. stormwater retention tanks and service road – Part 3 of the planning proposal) to this part of the site, potentially making the site unsuitable for public recreation/quality open space uses.

This portion of the site is steeply sloping and is potentially not suitable to encourage public use of a future stormwater drainage channel. To ensure consistency with this Planning Priority, a Gateway condition has been drafted to reconsider the proposed RE1 Public Recreation Space zoning applying to this portion of the site, and require the proposal to address, identify and appropriately zone land for suitable open space provision within the site.

North-West Rail Link Corridor Strategy and Norwest Station Structure Plan.

The site is located in the southern portion of the Norwest Station Structure Plan and has been identified in the plan to deliver an increase in residential development and anticipated 3-6 storey apartment buildings (**Attachment F** – pages 28 and 29). The proposal will assist in achieve the Structure Plan's objectives.

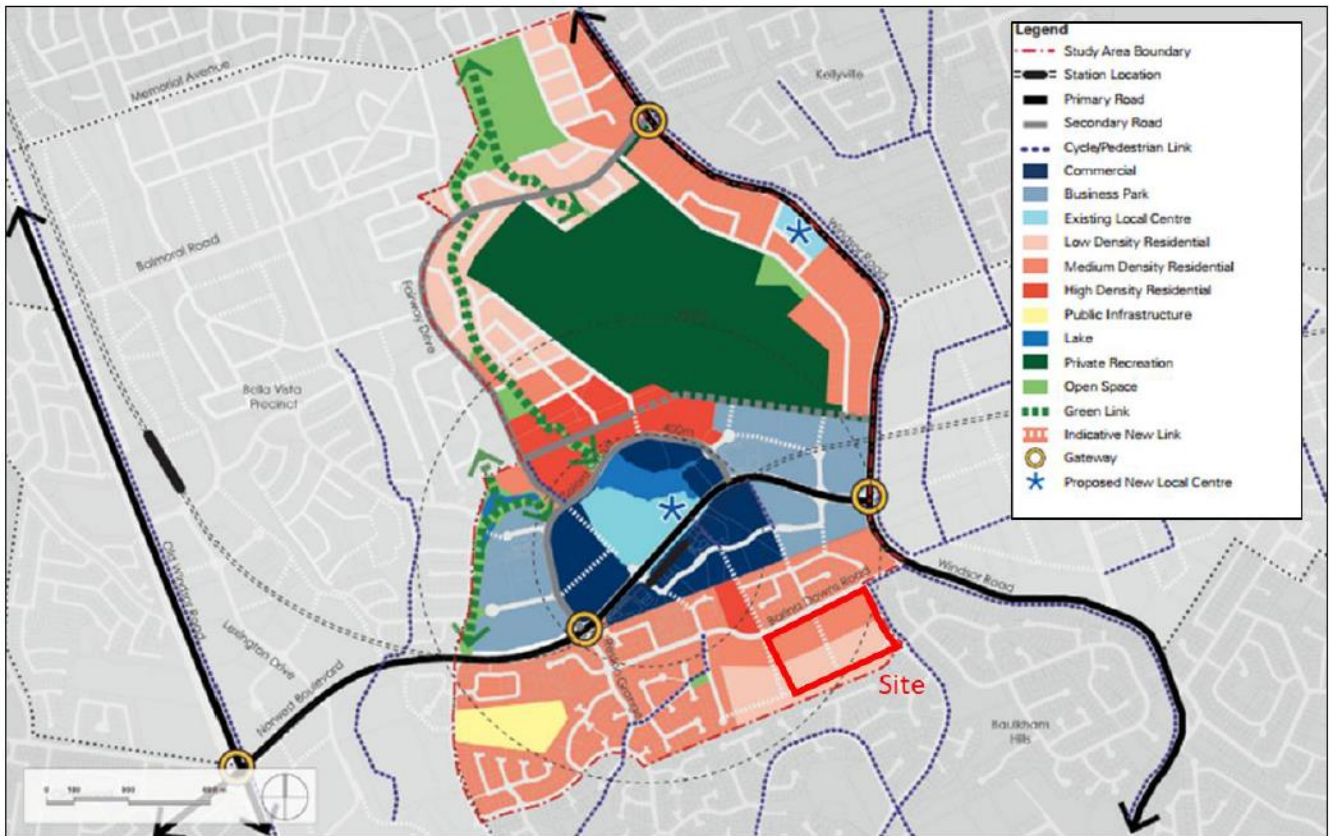


Figure 5 – Norwest Structure Plan (source: **Attachment A3** Traffic Impact Assessment and **Attachment F** – Norwest Station Structure Plan).

The Hills Future Community Strategic Plan

The planning proposal is generally consistent with Council’s Community Strategic Plan (CSP). The proposal seeks to realise the CSP’s sought outcome of a balanced urban growth through the provision of residential accommodation and associated supporting infrastructure.

Section 9.1 Ministerial Directions

The proposal is consistent with all relevant Section 9.1 Directions, with the exception of the following:

Direction 2.1. Heritage Conservation

The proposal seeks to reduce the heritage curtilage of the local heritage item St Joseph’s Novitate (heritage reference I7). The heritage listing currently applies to the entirety of Lot 1002 DP1190982, where the proposal seeks to build medium density dwellings in close proximity to the bungalow on the site.

A subdivision for residential development has been previously approved and commenced under a separate development application (Council reference 6/2012/JP) within the heritage curtilage. The proposal is supported by a relevant heritage assessment (**Attachment A2**) that concludes the proposed increase in density is unlikely to impact on the heritage item any greater than that currently approved, however, it is considered that this direction should remain unresolved until after community and agency consultation has occurred

A Gateway condition has been drafted to refer the reduced heritage curtilage to Office of Environment and Heritage – Heritage Division.

State environmental planning policies

The proposal is consistent with all relevant SEPPs and deemed SEPPS.

SITE-SPECIFIC ASSESSMENT

Social

The proposal is not anticipated to have adverse social impacts in the locality.

The increase in residential density will result in an increased demand for open space and community facilities.

Council is seeking to negotiate a voluntary planning agreement to adequately address the provision of these facilities in the area.

The planning proposal has been conditioned to reconsider the location of the proposed public open space within the site and provide further justification for the location of this community infrastructure.

Environmental

The site comprises of remnant vegetation, identified as Cumberland Plan Woodland and Sydney Turpentine Ironbark.

0.02 hectares of Cumberland Plan Woodland is proposed to be removed as a result of the concept masterplan associated with the proposal.

It is noted that the previous development application for subdivision has substantially commenced and that vegetation has already been removed from the site as part of the subdivision road and drainage works. Any future development application would be required to consider the impact on flora and fauna within the site, in accordance with legislation applicable at the time which may include the need for offsets or the preparation of a vegetation management plan.

Economic

The proposal is not anticipated to have adverse economic impacts in the locality.

The proposal seeks to increase residential densities in the area to enable access to the Norwest railway station and employment areas within 30 minutes of the site.

Traffic and Transport Infrastructure

The proposal is supported by an accompanying Traffic Impact Assessment (**Attachment A3**). The assessment asserts that the proposal is supported on traffic planning grounds, identifying:

- the construction of the new railway station;
- the existing road network's capacity, and any resultant development on the site having a negligible impact on traffic (although the development would contribute to existing delays on Barina Downs Road and Windsor Road);
- Council's own car parking requirements on the site as outlined in its Development Control Plan to accommodate vehicles onsite; and
- four new road connections from the proposed masterplan that would facilitate the site's integration with the existing road network.

The Sydney Central City Planning Panel, who supported the proposal through the rezoning review process (Department reference RR_2018_THILL_001_00 – **Attachment E**), identified the need to investigate the proposal's impacts on the local road network (note: the proponent's Traffic Impact Assessment was submitted to the Panel). A Gateway condition has been drafted to require the proponent to further investigate the traffic impacts of any development from the proposal in the locality, specifically the local road network, taking into consideration the Sydney Metro Northwest and other developments along the corridor.

This study should also inform any voluntary planning agreement to address improvements to the local road network.

Open Space

The proposal is accompanied by a detailed masterplan (**Attachment A1**) that outlines an anticipated building form and layout, including indicative public and private open space realms (page 16 of **Attachment A1**).

Concern has been raised by Council regarding the viability of the southern most portion of the site to be rezoned RE1 Public Recreation. As previously detailed in this report, this site is subject to the provision of service infrastructure and is steeply sloping, making it potentially unsuitable for public recreation uses. A condition has been drafted in the Gateway determination to ensure appropriate provision public open space is provided within the subject site.

CONSULTATION

Community

A 28 day community consultation period is recommended in the planning proposal, and is considered appropriate.

Agencies

It is recommended the following agencies be consulted with:

- Transport for NSW;
- Roads and Maritime Services; and
- Office of Environment and Heritage – Heritage Division.

TIME FRAME

A 12 month time frame for completing the LEP is considered appropriate, considering the anticipated Christmas and New Year holiday periods and the need for Council to consult with relevant state agencies.

LOCAL PLAN-MAKING AUTHORITY

Council has not requested to be the local plan-making authority but has accepted the role of the Planning Proposal Authority. The Gateway has been conditioned accordingly.

CONCLUSION

The planning proposal is supported to proceed with conditions. The proposal is consistent with surrounding land uses, and generally consistent with the Greater Sydney Region Plan, Central City District Plan and the North-West Rail Link Corridor

Strategy. It will provide additional housing choice near the new Norwest railway station and Norwest Strategic Centre employment centre.

RECOMMENDATION

It is recommended that the Director, Sydney Region West, delegate of the Secretary:

1. agree that any inconsistency with section 9.1 Direction 2.3 Heritage Conservation remains unresolved.

It is recommended that the delegate of the Greater Sydney Commission, determine that the planning proposal should proceed subject to the following conditions:

1. The planning proposal should be made available for community consultation for a minimum of 28 days.
2. A public hearing is not required to be held into the matter by any person or body under section 3.34(2)(e) of the Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).
3. Consultation is required with the following public authorities:
 - Transport for NSW;
 - Roads and Maritime Services; and
 - Office of Environment and Heritage – Heritage Division.
4. The time frame for completing the LEP is to be 12 months from the date of the Gateway determination.
5. Given the nature of the planning proposal, Council should not be authorised to be the local plan-making authority to make this plan.
6. The planning proposal is to be amended prior to community consultation to review the location of the proposed RE1 Public Recreation Zone having regard to the usability of the land for this purpose and if required, provide alternative options for the provision of public open space within the site to meet the needs of the future population.
7. The proposal is to investigate and address any local road network improvements that may be required because of the rezoning, considering factors such as the opening of the Sydney Metro Northwest and other developments in the transport catchment area.

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11/10/2018
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